

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No: 03-80244

Honorable Victoria A. Roberts

v.

MARCO ANTONIO PAREDES-MACHADO,

Defendant.

**ORDER DENYING GOVERNMENT'S MOTION  
TO PERMIT TRIAL IN OTHER DISTRICT [Doc. 825]**

Defendant Marco Antonio Paredes-Machado ("Machado"), a Mexican national who was extradited to the United States, is charged with conspiring to import and distribute marijuana. Although Machado was extradited as part of this case, he is also charged in an international narcotics conspiracy in the United States District Court for the District of Columbia (the "D.C. Case"). The D.C. Case involves charges that both Machado and the government agree are "more serious" than the charges in this case. The government contends that resolution of the D.C. Case will "more than likely subsume the charges in . . . this court."

Based on this, the government filed a Motion to Permit Trial in Other District [Doc. 825], in which it requests that the Court enter an order: (1) adjourning the trial in this case; (2) excluding the time related to the adjournment from the Speedy Trial Act; and (3) allowing the prosecution of Machado in the D.C. Case to commence prior to recommencement of Machado's prosecution in this case.

The Court held a hearing on the government's motion on February 1, 2018. Appearing were Stephen Ralls for Machado and William Sauget for the government. Adrian Rosales, the Assistant United States Attorney in the D.C. Case, also appeared to shed light on the status of the D.C. Case.

During the hearing, the Court informed the parties that it planned to contact the presiding judge in the D.C. Case, the Honorable Richard J. Leon, to discuss the status of that case – particularly when it would be ready for trial – and to determine whether any extraordinary circumstances existed to justify staying this case so that the D.C. Case could go to trial first.

On February 6, 2018, the undersigned held a telephone conference with Judge Leon regarding the above issues. During the call, Judge Leon indicated that he has several lengthy trials scheduled from now through summer, and the earliest he could hold a trial in the D.C. Case would be November or December.

During the hearing, Mr. Ralls indicated that Machado would be ready for trial in this case in June. The government said June would likely be unreasonable due to motions Machado plans to file. Mr. Ralls responded that the motions were already written, and he was waiting to file them until Magistrate Judge David R. Grand entered an order on Machado's Renewed Motion for Disclosure of Evidence Regarding Torture.

The government also said Machado's co-defendant, Julio Cesar Lamadrid, might not be ready for trial in June. It said August is a more reasonable target date for trial.

Because the parties agree that this case should be ready for trial before Judge Leon would be ready to hold a trial in the D.C. Case, it does not make sense to stay this case pending trial in the D.C. Case.

The government's Motion to Permit Trial in Other District [Doc. 825] is **DENIED**. The Court finds that the period from the date of this order and the new trial date constitutes excludable delay under the provisions of 18 U.S.C. § 3161 3161(h)(1)(D), (6) and (7)(A) and that the ends of justice served by this delay outweigh the best interests of the defendant and the public in a speedy trial.

The Court will enter a Third Amended Trial Notice and Standing Order setting: a deadline for filing pretrial motions, a plea cut-off date, a trial date, and other relevant dates.

**IT IS ORDERED.**

S/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: February 7, 2018